



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Todd M. Bjork

Appln. No.: 10/664,195

Filed : September 17, 2003

For : FULCRUM WEDGE CLAMP

Docket No.: M81.12-0068

Group Art Unit: 3733

Examiner:

Ramana, Anuradha

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 CFR § 1.321(c))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER
IS BEING SENT BY U.S. MAIL, FIRST
CLASS, TO THE COMMISSIONER FOR
PATENTS, P.O. BOX 1450, ALEXANDRIA,
VA 22313-1450, THIS

27th DAY OF August,
2007
Peter J. Ims
PATENT ATTORNEY

Sir:

Interest of Person Making This Disclaimer

I, Peter J. Ims, represent that I am

- ☐ an inventor of this invention.
- ☐ an assignee of this invention.
- ☐ a representative authorized to sign on behalf of the assignee of this invention.
- ☒ an attorney of record for this application.

Identity of Assignee and Title of Disclaimant (If Applicable)

The assignee is Minnesota Scientific, Inc., 4849 White Bear Parkway, St. Paul, Minnesota 55110, U.S.A.. The title of the Disclaimant is attorney of record, and the Disclaimant is authorized to sign on behalf of Assignee.

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Extent of Interest

The extent of my interest is in

- ☒ the whole of this invention.
- ☐ a sectional interest in this invention as follows: .

Disclaimer

I hereby disclaim, except as provided below, the term of any patent granted on the above-identified application subsequent to

- ☐ the full term of United States Patent No. ____ as presently shortened by any terminal disclaimer,

or

- ☒ the term of any patent granted on second application number 10/732,491 as shortened by any terminal disclaimer filed prior to the grant of the second application,

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that said patent is commonly owned with

- ☐ United States Patent No. ____.
- ☒ any patent granted on second application number 10/732,491.

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

I do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

- ☐ United States Patent No. ____, as presently shortened by any terminal disclaimer, in the event that United States Patent No. ____ later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated

prior to expiration of its statutory term as presently shortened by any terminal disclaimer.

- ☒ any patent granted on second application number 10/732,491 as shortened by any terminal disclaimer filed prior to the grant of the second application, in the event that the second application later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as shortened by any terminal disclaimer filed prior to the grant of the second application.

By: Peter J. Ims Date: August 27, 2007
Peter J. Ims
Attorney

Fee Status

(37 CFR § 1.20(d))

- ☐ other than a small entity \$130.00
☒ small entity status of this application under 37 CFR §§ 1.9 and 1.27 is established by a verified statement \$65.00

Fee Payment

- ☒ Attached is a check in the sum of \$65.00.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

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